

**MINUTES
CHICOPEE MOBILEHOME RENT CONTROL BOARD
MARCH 22, 2010 @ 6:00 P.M.**

MEMBERS PRESENT

Robert Hopkins, Sharyn Riley, Ronald Lafond

ALSO PRESENT

Kevin Corridan, Attorney
Chantal Paul, Secretary to the Board

OLD BUSINESS

Robert Hopkins: First order of business is minutes as distributed from the last meeting. Do we have a motion to approve the minutes as distributed?

Ronald Lafond: I make a motion.

Sharyn Riley: I second.

Robert Hopkins: *Motion passes unanimously.*

Robert Hopkins: Under old business tonight we have two pieces of old business that being a request from the Mobilehome Parks, Inc. for two of their mobilehome parks in the City of Chicopee related to the hearing tonight on the proposed rent increases for both those parks. We will take the Gill Mobilehome Park first. Bob reads Rules... okay, those are the rules. In saying, let us proceed with the owner, Ms. Stemm, or your representative.

Marcia Stemm: It's pretty self-explanatory. It's been over 12 years that we have a lot rental increase. At this point we are looking for a limited increase request, that being water and sewer, real estate taxes, snow plowing and sanding. It totals out to a total of \$27.72; an increase of \$10.88 for water and sewer, and increase of \$7.64 for real estate taxes, an increase of \$5.34 for snow plowing and sanding and \$3.86 for the trash removal. When you divide that increase of \$27.72 over 12 years from the last increase, it is \$2.31 per year.

Robert Hopkins: Okay, so the owner has completed her statement and supported documentation; we have accepted this as evidence. Tenants wish to speak to the issue on the increase? Nothing from tenants from Gill, then I guess we will proceed to the issue at hand and I guess that is to consider the evidence as having been received in its entirety, we will not let any

more evidence on the Gill other than what we have received as of this particular moment. So Board, on the issue, should we take them all separately as each of the four items for request to discuss.

Board: Yes.

Robert Hopkins: Alright, water and sewer bill as the documentation had indicated saying they are requesting an increase of \$10.88 based on evidence presented to the Board. Any discussion on that particular item for \$10.88 per month per tenant for water and sewer?

Sharyn Riley: The only thing I would add is, as the City Auditor, the rate has increased considerably over the last year, the bills are the actual bills, the bills don't lie.

Robert Hopkins: Do you want to make a motion to accept them that that is an allowable increase on that item?

Sharyn Riley: I make a motion.

Ronald Lafond: I second the motion.

Robert Hopkins: Discussion, all those in favor?

Board: Yes.

Robert Hopkins: Okay, that part carries. *Motion passes unanimously.*

Robert Hopkins: Real estate taxes as submitted from the evidence on the tax for the City of Chicopee for \$7.64. Is there any discussion on the issue?

Sharyn Riley: I make a motion.

Ronald Lafond: I second the motion.

Robert Hopkins: Vote to approve the increase of \$7.64.

Board: Yes. *Motion passes unanimously.*

Robert Hopkins: On the snow plowing and sanding, the discussion on that says this is an average of five years paid to a sub-contractor for snow plowing and sanding, they put it out to bid, according to the proposal, and found the most competitive contractor, according to the owner. It does not include snow removal by park maintenance person. They are requesting an increase of \$5.34 from the last lot increase of June 1997. Is there discussion on the snow plowing as an appropriate increase.

Sharyn Riley: I can only say that the owner did follow diligence in putting it out to bid, getting the most competitive bid.

Robert Hopkins: Motion to approve the snow plowing and sanding as submitted by the Mobilehome Parks, Inc.?

Ronald Lafond: I make a motion to approve.

Sharyn Riley: I second the motion. *Motion passes unanimously.*

Robert Hopkins: And the final item of increase for the Gill Mobilehome Parks, and that is the trash removal, including an increase due to mandatory recycling. The amount requested is \$3.86, again the last increase having been set in June 1997. Any discussion on that issue, Motion to accept?

Sharyn Riley: I make a motion.

Ronald Lafond: I second the motion. *Motion passes unanimously.*

Robert Hopkins: Based on the evidence presented and lack of other testimony, we find that the increase is reasonable and proper for the increase for the Gill Mobilehome Park, that the requested increase is \$27.72 per month per tenant. We have approved that with the action of this Board. Beginning in May 2010 that rent increase has been approved and we will issue a letter to that effect, Ms. Stemm. Is there a Tenant's Association or will you be notifying the tenants.

Marcia Stemm: I will notify the tenants.

Robert Hopkins: The second order of business is the Knollwood Park similar request. The letter was dated January 8, 2010, received January 12, 2010 by the Law Department. The last time that the Knollwood Park had a lot rental increase was eight years ago, July 1, 2001 and, again, the owners of the park shall speak first to the issue, Ms. Stemm.

Marcia Stemm: We limited it to the same form, water and sewer, the real estates taxes, snow plowing and sanding and the trash removal. The last time that this park had an increase was over eight years ago. Basically, we are looking for water and sewer an increase of \$8.44, the real estate taxes come out to \$1.51, and the snow plowing and sanding is \$7.41 per tenant per month and the trash removal is \$6.08. The current rent of \$168.94 plus an increase of \$23.44 will equal \$192.38. \$23.44 I believe it to be reasonable over the eight year period. Thank you.

Robert Hopkins: Okay, thank you Ms. Stemm. Any tenants from the Knollwood park wish to speak to the rate increase?

Linda (inaudible): Lot # 142 speaks about snow removal. She has pictures.

Robert Hopkins: Sure, we can take evidence at this time. Bob looks at pictures. Asks for date of storm. Have you talked to Ms. Stemm about this?

Linda... (Inaudible)

Robert Hopkins: For the record, let it be known that we have some pictures of snow plowing in front of...

Kevin Corridan: Just let me add that if you're going to accept you should probably waive the Rules.

Robert Hopkins: I thought the evidence can be accepted up until now.

Kevin Corridan: I believe the Rules state that within sixty days of the initial meeting, evidence will be accepted. It's been ninety days. You may be able to look at the pictures but you cannot submit to make a decision.

Robert Hopkins: Okay, we will take it for informational purposes. I think this is something you have to take up with the owner. Okay, proceeding then, anything further before we go on with the individual line items about the amount of increase, there is not much we are empowered to do as a Board, our job is to look at the reasonableness of the rent increases and seeing that it's not excessive. Alright, water and sewer for Knollwood Park.

Marcia Stemm: Talks to tenants about snow plowing.

Robert Hopkins: It appears that the tenants and the owners have completed their evidentiary portion and shall we take them as line items or as entirety?

Ronald Lafond: Take it in its entirety.

Robert Hopkins: Okay, so we're voting on the increase in its entirety of \$23.44 for the Knollwood Park, as requested by the Mobilehome Parks, Inc. Do we have a motion to approve their increase as reasonable and proper?

Robert Hopkins: Do we have a motion to accept?

Ronald Lafond and Sharyn Riley: I.

Robert Hopkins: Motion carries. The increase of \$23.44 likewise, next full cycle for billing, which will be May 1, 2010. **Motion passes unanimously.** Any other business to come before us? Any old business, how about new business? Shall we consider a change to the procedural Rules allowing to start the clock when the... how shall I put this, we seem to have to have an extra meeting just to receive the request to begin the process. How about this for a motion? Perhaps you would like to make a motion that the request for the increase doesn't have to come to a meeting but can be accepted by the Law Department. Would that be reasonable Counselor?

Kevin Corridan: Can I inquire that this was not on today's agenda.

Chantal Paul: Wasn't this tabled from another meeting though?

Robert Hopkins: Yes, it was.

Chantal Paul: So then it's not new business.

Robert Hopkins: Okay, it is actually old business.

Kevin Corridan: Mr. Chairman, I would suggest making a motion to amend the Rules to state that the Chair can accept a new request.

Robert Hopkins: Without a hearing?

Kevin Corridan: Correct.

Robert Hopkins: Motion is that the Chair can accept the proposal for a rent increase without having to have a formal meeting, is that the motion.

Ronald Lafond: I make a motion.

Sharyn Riley: I second the motion. **Motion passes unanimously.**

Kevin Corridan: Can I add to that, a second motion to state that the Chair will within seventy-five days schedule an initial meeting.

Robert Hopkins: Whenever there is a new request coming in, Chantal will contact me and say it's been received and I will schedule the initial meeting.

Motion adjourned at 6:40 p.m.